



COUNTY OF PRINCE WILLIAM

1 County Complex Court, Prince William, Virginia 22192-9201
(703) 792-6600 Metro 631-1703 FAX: (703) 792-7484

Larry Hughes
Acting County Executive

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of

The Development of Operational,
Technical, and Spectrum
Requirements for Meeting
Federal, State and Local Public
Safety Agency Communication
Requirements Through the Year 2010

WT Docket No. 96-86

COMMENTS

Submitted by:

Lawrence D. Hughes
Acting County Executive
County of Prince William, Virginia
1 County Complex Court
Prince William, Virginia 22192

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I.

INTRODUCTION

1. Pending before the Federal Communications Commission (Commission) is a Notice of Proposed Rule Making: Development of Operational, Technical, and Spectrum Requirements for Public Safety Communications Through Year 2010. The Commission is considering the institution of regulatory approaches to facilitate the development of interoperable equipment and technologies, to defragment public safety communications, and promote competition in the supply of goods and services used by public safety agencies.

2. On behalf of the County of Prince William, Virginia, Departments of Police, Fire and Rescue, and Office of Technology Facilities and Support Services, pursuant to WT Docket No. 96-86, comments are herewith offered on the critical issues that effect our public safety agencies in maintaining the independence, reliability, control and security that are an integral part of public safety wireless communications.

II.

COMMENTS

3. We support the Public Safety Wireless Advisory Committee (PSWAC) definitions of Public Safety, Public Safety Services, Public Safety Services Provider and Public Services¹. Moreover, we support the PSWAC definitions of Interoperability and Mission Critical.

4. The identification and allocation of additional spectrum for universal mutual aid channels would be an effective course of action in achieving interoperability among Federal, State, and local public safety agencies. The ability to communicate with other public agencies during disaster situations and other emergencies is vital to providing mutual aid between local jurisdictions.

5. The application of new and emerging technologies to public safety wireless communications will not only create more efficient use of the spectrum, but will enable agencies to

¹ Public Safety Wireless Advisory Committee, Final Report, pp. 47-49

implement the transmission of fingerprints, graphics, photographs and video to and from the field. This will greatly enhance the effectiveness of public safety services provided to the public.

6. The allocation of a large block of additional spectrum to public safety and encouraging agencies to migrate to that spectrum in a reasonable amount of time could do much to satisfy the emerging needs of public safety communications systems. Spectrum efficiency and interoperability could be achieved in the new spectrum by mandating a spectrum efficient common mode open architecture technology. The Commission should work closely with public safety industry associations to determine and select such technology to be mandated and standardized.

7. A reasonable goal would be to encourage all public safety agencies to migrate to contiguous or compatible spectrum in 15-20 years. One potential source of this spectrum is that which may be freed up as a result of the implementation of digital broadcast television. Specifically, at least 24 MHz within the 746-806 MHz band as described in the PSWAC final report². Public safety should be given first consideration for this spectrum and localities should not be asked to pay for this resource that is necessary to fulfill a fundamental government duty - providing public safety services.

² Public Safety Wireless Advisory Committee, Final Report, p. 63, 4.4.16, #2.

8. The use of commercial wireless services as the primary means of public safety wireless communications is unacceptable. There are administrative applications where the use of commercial wireless services are effective in supplementing existing independent, publicly owned and controlled public safety wireless communications systems. Indeed, cellular telephones are used for administrative purposes in many public safety agencies. However, we are aware of practical experiences which have shown that in a disaster or other emergency situation these commercial wireless services are often not available for public safety agencies.

9. Public safety officials are directly accountable to the public for the effectiveness of their agencies. The effectiveness of any public safety agency depends to a large extent on its communications capability. Public safety officials must have absolute surety that their radio systems are continuously available under all circumstances. This is best achieved through direct control. The tailored design, redundancy, security, maintenance, and the ability to control our destiny and add technological features as necessary are essential. We submit that it would be wrong for the Commission to mandate or otherwise adopt rules that will offer jurisdictions no viable alternative to commercial wireless services for vital public safety communications.

10. The Commission should exercise caution in adopting any rules that will dramatically change the current system of allocating spectrum by service, frequency coordination and licensing for public safety users. The current system of requiring frequency coordination pre-license grant, protects current licensees from potential frequency interference that could be disruptive to public safety operations and the delivery of service.

11. Certified frequency coordinators have made valuable contributions to the industry. Their expertise has been an asset to public safety services and the other radio services in which they serve. The continued use of certified frequency coordinators who are thoroughly familiar with the particular needs of their respective radio service is in the best interest of the public and is critical to the public safety radio services.

12. The Commission should reinstate the requirement for technicians who perform service maintenance on, or certify the operational performance of radio equipment, be certified to do so by successfully demonstrating minimum level of technical knowledge, and knowledge of the Commission's rules. Improperly adjusted equipment may cause serious problems to other nearby systems (whether in actual location or by frequency), yet apparently be functioning well for the licensee. In today's congested frequency bands, tightening operational parameters, the

increasing sophistication of the equipment, the increasing reliance upon wireless communications generally, and increasing co-location of different systems at a single transmitter site, it is not enough to simply leave it to the equipment licensee to be responsible for proper operation, as the Commission is doing now. This tends to address problems after they have occurred. The industry needs a much more proactive policy from the Commission by the licensing of competent technicians, and, holding the technician and the system licensee accountable for the proper technical operation of radio equipment.

III.

CONCLUSION

13. We appreciate the Commission's obvious concern and focus on public safety communications needs, and the recognition of the need for more public safety frequency spectrum, efficiency, and interoperability. In pursuit of solutions to achieve these objectives, the Commission should work closely with public safety industry associations to develop then adopt rules that mandate an open architecture technology and common mode of operation for public safety two-way radio communications.

14. The Commission should, together with manufacturers and user associations similar as it has done with PSWAC, set practical technological goals for our industry to adopt and evolve to.

15. It is recognized by local jurisdictions, certainly Prince William County, that commercial wireless communications technology is good for economic development, business, government, and the general public. However, the Commission should not adopt rules that will require public safety agencies to acquire commercial wireless communications services as their primary means of communications for day to day emergency operations. The Commission should not undermine local jurisdictions flexibility in maintaining control of public safety communications systems.

16. The Commission should not overly consolidate radio service frequency coordinators. Radio services vary in their needs, and public safety is particularly unique. Frequency coordinators need a thorough background in, and knowledge of, the radio service they serve in and should be accountable to their constituents as well as to the Commission for their effectiveness. Station authorizations in the public safety bands must be fully coordinated by these experts before system licensing and/or implementation to minimize the potential for devastating interference problems which further would result in the necessity to re-engineer and repeat the licensing process.

17. The Commission should update and reinstate its technician licensing policy.

18. Finally, we wish to commend the participants of the Public Safety Wireless Advisory Committee for a thorough job well done, and we thank the Commission for the opportunity to offer these Comments.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lawrence D. Hughes', is written over a horizontal line.

Lawrence D. Hughes
Acting ~~County Executive~~
County of Prince William, Virginia